

REMARKS

Reconsideration of this application, in view of the foregoing amendment and the following remarks, is respectfully requested.

Claims 1-15 are currently pending in this application. By the foregoing amendment, Claims 1-4, 7, 9 and 11-14 have been canceled without prejudice or disclaimer, and Claims 5, 6, 8, 10 and 15 have been revised. Accordingly, Claims 5, 6, 8, 10 and 15 remain in this application for consideration and allowance.

In his February 4, 2003 Office Action, the Examiner rejected Claims 5, 6, 8, 10 and 15 on the following grounds which are respectfully traversed for reasons subsequently set forth herein:

1. Claim 5 stands rejected under 35 USC §103(a) as being unpatentable over U.S. Patent 6,505,682 to Brockman in view of U.S. Patent 5,842,516 to Jones;

2. Claims 5 and 6 stand rejected under 35 USC §103(a) as being unpatentable over Brockman in view of U.S. Patent 5,765,756 to Jordan et al;

3. Claim 8 stands rejected under 35 USC §103(a) as being unpatentable over Brockman in view of U.S. Patent 5,901,789 to Donnelly et al; and

4. Claims 10 and 15 stand rejected under 35 USC §102(e) as being anticipated by Brockman.

Claim 5 recites generally tubular protective shields lining flow passages formed **through** a sidewall of a well screen. The Examiner acknowledges that Brockman fails to disclose this claimed feature of applicants' invention, and in Jones the protective insert is located in an outlet of a shunt **externally** disposed relative to a well screen side wall as opposed to lining a flow passage extending **through** a well screen sidewall as specified in Claim 5. It is thus respectfully submitted that Claim 5 is not

rendered obvious by Brockman and Jones, whether these two references are considered singly or in any combination thereof.

Neither is Claim 5 rendered obvious by the Brockman/Jordan reference combination proposed by the Examiner. In support of this proposed reference combination, the Examiner states that:

It is considered that it would have been obvious to one ordinarily skilled in the art at the time of the invention to have the jet nozzles of Jordan in the sidewall of Brockman, since Jordan teaches the benefit of delivering cleaning chemicals to a well bore (col. 1, lines 5-15 and col. 25, line 65). It is pointed out that Brockman teaches fluid lines 166 for delivering chemicals (col. 6, lines 46-56) to the wellbore and for communicating with downhole tools (col. 2, lines 40-50) and is therefore conducive to modification by Jordan.

In Brockman, the fluid lines 166 (see FIG. 23) are used to disperse anti-scaling chemicals to a sponge material 120 which receives the chemicals and uniformly distributes them to the region immediately surrounding the screen 30. It would in no way be obvious to replace this sponge-based chemical dispersion apparatus with an abrasive slurry jetting structure, such as that depicted in FIG. 2A of Jordan et al, as proposed by the Examiner. One of ordinary skill in this particular art would simply have no motivation to do so, and there clearly is no suggestion in either of the Brockman and Jordan et al references to do so.

It is further noted that even if the Jordan et al abrasive slurry jetting structure were somehow to be incorporated into the Brockman production controlling apparatus as proposed by the Examiner, the resulting combination would still not meet the limitations of applicants' Claim 5. Specifically, the Jordan et al elements 10,12,14 characterized by the Examiner as "tubular protective sleeves" are not protective sleeves as set forth in applicants' Claim 5, but are instead telescopingly engaged

movable jetting nozzle extenders which are useable to axially adjust the position of the Jordan et al 16 nozzle 16 and the interior flow passage O thereof. In this regard it should be noted that the extender 14 does not line and protectively shield the nozzle flow passage O, but instead serves as an axial extension thereof.

It is thus respectfully submitted that Claim 5 is not rendered obvious by the Brockman and Jordan et al references, whether these two references are considered singly or in any combination thereof.

Claim 6 is similar to Claim 5 (and is thus seen to be patentably distinguishable over the proposed Brockman/Jordan reference combination for the reasons set forth above in conjunction with Claim 5), but additionally recites the limitation that a **flexible** retainer is disposed between each shield and the respective flow passage. This additional limitation is neither disclosed nor in any manner suggested in either of the Brockman and Jordan references. The Examiner characterizes the elements 50 in Jordan as "flexible retainers". However, as clearly set forth in the Jordan specification, beginning on line 37 of column 16 thereof, the Jordan spacer rings 50 are of a **rigid** material. It is thus respectfully submitted that Claim 6 is patentably distinguishable over the Brockman and Jordan references, whether these two references are considered singly or in any combination thereof.

Claim 8 specifies a well screen having a filter media which is **inflatably** expandable in a wellbore. The Examiner acknowledges that Brockman fails to disclose this limitation. The Donnelly et al reference illustrates a mechanically expandable filter structure but fails to disclose or suggest a filter media which is **inflatably** expandable in a wellbore as required by Claim 8. It is thus respectfully submitted that Claim 8 is patentably distinguishable over The Brockman and Donnelly et al

references, whether these two references are considered singly or in any combination thereof.

Claim 10 recites at least one sensor connected to a line embedded in the sidewall material of a well screen, with the sensor sensing a parameter **external** to the well screen. In contrast, the sensors 38 in Brockman sense parameters **within** the well screen. It is thus respectfully submitted that Claim 10 is not anticipated by Brockman.

Claim 15 recites at least one **fiber optic** line embedded in the sidewall material of a well screen. Brockman fails to disclose a fiber optic line embedded in the sidewall material of a well screen. It is thus respectfully submitted that Brockman fails to anticipate Claim 15.

In view of the foregoing amendment and remarks, all of the claims currently pending in this application are now seen to be in a condition for allowance. A Notice of Allowance of Claims 5, 6, 8, 10 and 15 is therefore earnestly solicited.

VERSION WITH MARKINGS TO SHOW CHANGES MADE

Set forth below are Claims 5, 6, 8, 10 and 15 which have been appropriately marked to show the changes made therein in the foregoing amendment.

5. (Amended) [The well screen according to Claim 4, wherein] A well screen, comprising:

a sidewall of the well screen including a material; and
at least one line embedded in the sidewall material,
the sidewall material being nonmetallic,
flow passages [are] being formed through the sidewall, and
the well screen further comprising a generally tubular protective shield lining each of the flow passages.



6. (Amended) [The well screen according to Claim 5, further comprising] A well screen, comprising:

a sidewall of the well screen including a material;
at least one line embedded in the sidewall material, the sidewall material being nonmetallic;
flow passages formed through the sidewall;
a generally tubular protective shield lining each of the flow passages;
and
a flexible retainer disposed between each shield and the respective flow passage.

8. (Amended) [The well screen according to Claim 1, further comprising] A well screen, comprising:

a sidewall of the well screen including a material;

at least one line embedded in the sidewall material; and

a filter media, [and wherein] the filter media [is] being inflatably expandable in a wellbore.

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function

10. (Amended) [The well screen according to Claim 9, wherein] A well screen, comprising:

a sidewall of the well screen including a material;

at least one line embedded in the sidewall material; and

at least one sensor connected to the line, the sensor [senses] sensing
a parameter external to the well screen.

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15. (Amended) [The well screen according to Claim 1, wherein] A well screen, comprising:

a sidewall of the well screen including a material; and

at least one line embedded in the side wall material, the line [is]
being [a selected one of a hydraulic line, and electric line and] a fiber optic
line.

The Examiner is hereby requested to telephone the undersigned attorney of record at 972/516-0030 if such would further or expedite the prosecution of the instant application.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C., 20231,

on March 27, 2003

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